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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

NATIVE ECOSYSTEMS COUNCIL;  
ALLIANCE FOR THE WILD  
ROCKIES,

Plaintiffs,

v.

JOHN J. MEHLHOFF, State Director;  
the BUREAU OF LAND  
MANAGEMENT; DEPARTMENT  
OF THE INTERIOR; DAVID  
BERNHARDT, Secretary of the  
Interior,

Defendants.

**Case No. 1:20-cv-00019-BLG-SPW-TJC**

**UNOPPOSED MOTION TO  
ENTER TEMPORARY STAY OF  
PROCEEDINGS**

Defendants request the Court enter an order temporarily staying proceedings in this action. As discussed below, the requested temporary stay will allow the parties to continue discussions about the resolution of this matter in its entirety, Plaintiffs do not oppose this motion.

A stay is necessary to relieve the parties of two imminent briefing deadlines under the joint case management plan submitted on June 11, 2020. ECF No. 12. The Court did not enter any order regarding deadlines in this case but the parties have been proceeding according to the schedule submitted in that joint case management plan. According to the joint case management plan, Plaintiffs' Motion for Summary Judgment is due August 20, 2020 and Defendants' Cross-Motion for Summary Judgment and Response to Plaintiffs' Motion is due September 24, 2020. Following the Court's order on Plaintiffs' Motion for Preliminary Injunction (ECF No. 15), the parties began discussions regarding potential resolution of this case. Defendants request a temporary stay of proceedings to negotiate a potential resolution of this case with Plaintiffs, which would obviate the need for merits briefing.

Issuance of a stay is within the Court's discretion and would promote judicial economy by ensuring that the parties do not expend judicial resources actively litigating over issues they may ultimately be resolved without the Court's involvement. Because a preliminary injunction is already in place, a stay would

preserve the status quo, so as not to prejudice any party. *Landis v. North Am. Co.*, 299 U.S. 248, 254 (1936) (“the power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.”).

Defendants propose that they submit a status report on or before October 14, 2020 reporting the status of the parties’ negotiations and any other related developments and proposing further proceedings in this case if needed.

Respectfully submitted this 14th day of August, 2020.

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/s/ Caitlin Cipicchio

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